

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF OLS, INC. AND CERTAIN  
JOHN DOES**

) **ORDER APPROVING**  
) **AGREEMENT, DISMISSING**  
) **MOTION AND CLOSING**  
) **DOCKET**  
)  
) **TC00-089**  
)

On June 6, 2000, the Staff (Staff) of the South Dakota Public Utilities Commission (Commission) filed a Motion to Assess Fines and Statutory Penalties against OLS, Inc. (OLS). Staff asked for the imposition of statutory fines and penalties, the recovery of costs and the revocation of OLS' certificate of authority should the Commission deem the acts of OLS sufficient to merit such action. On June 28, 2000, the Commission received a Response to Motion to Assess Fines and Statutory Penalties from OLS. A hearing in this matter was scheduled for August 29, 2001. By order dated August 23, 2001, the hearing was cancelled as Commission Staff informed the Commission that settlement was pending between Commission Staff and OLS.

On October 16, 2001, a Settlement Agreement (the Agreement) was filed with the Commission, said Agreement representing a compromise and settlement of this matter between OLS and Staff.

The Commission has jurisdiction in this matter by reason of Chapter 49-31, SDCL, generally and, SDCL 49-31-93, 49-31-94 and 49-31-96, in particular.

At its duly noticed October 23, 2001, meeting, the Commission considered whether to approve the Agreement. OLS appeared through its local counsel of record, Tim R. Shattuck. Commission Staff recommended its approval.

The Commission unanimously voted to approve the agreement. It is therefore

ORDERED, that the Commission approves the agreement; and it is

FURTHER ORDERED, that the terms and conditions of the Agreement shall be incorporated into this Order by reference and attached hereto, the same as if it was fully recited herein and shall as such be fully binding upon the parties to it; and it is

FURTHER ORDERED, that pursuant to the Agreement, the motion of Staff as described in this Order shall be dismissed with prejudice and the docket shall be closed.

Dated at Pierre, South Dakota, this 31st day of October, 2001.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: \_\_\_\_\_

Date: \_\_\_\_\_

(OFFICIAL SEAL)

**BY ORDER OF THE COMMISSION:**

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JAMES A. BURG, Chairman

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PAM NELSON, Commissioner